



IFW \$1646

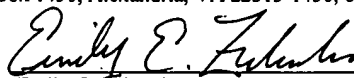
DOCKET NO.: B0801.70231US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee et al.
Serial No.: 10/024,607
Confirmation No.: 6830
Filed: November 8, 2001
For: CARDIOVASCULAR DISEASE DIAGNOSTIC AND THERAPEUTIC TARGETS
Examiner: Bruce D. Hissong
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 3rd day of March, 2006.


Emily E. Zukauskas

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

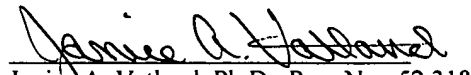
- Information Disclosure Statement
- PTO Form 1449 with cited references
- Copy of Supplementary European Search Report dated December 15, 2005
- Copy of International Search Report dated February 9, 2005
- Copy of International Preliminary Examination Report dated August 12, 2004
- Copy of International Search Report dated May 9, 2003
- Copy of Invitation to Pay Additional Fees dated February 19, 2003
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:


Janice A. Vatland, Ph.D., Reg. No.: 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: B0801.70231US00
Date: March 3, 2006
xNDDx




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Commissioner for Patents
P.O. Box 1450
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**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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Serial No.: 10/024,607
Conf. No.: 6830

- 2 -

Art Unit: 1646

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Docket No.</u>
09/934,249	08-21-2001	Lee et al.	*P0738.70001US00
10/435,482	05-09-2003	Lee et al.	*B0801.70284US00

*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

The Applicant would like to bring to the Examiner's attention the enclosed search reports or other communications from a corresponding or other International or Foreign National Application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type(s) of Communication</u>	<u>Docket No.</u>
EP 03728848.7	December 15, 2005	Supplementary European Search Report	B0801.70284EP00
PCT/US03/14882	February 9, 2005	International Search Report	B0801.70284WO00
PCT/US01/46816	August 12, 2004	International Preliminary Examination Report	B0801.70231WO00
PCT/US01/46816	May 9, 2003	International Search Report	B0801.70231WO00
PCT/US01/46816	February 19, 2003	Invitation to Pay Additional Fees	B0801.70231WO00

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

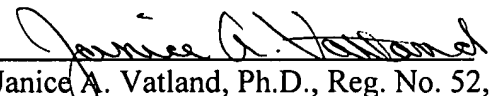
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:

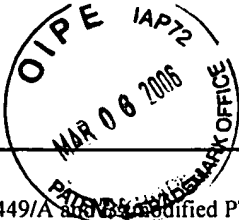

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Docket No.: B0801.70231US00

Date: March 3, 2006

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FORM PTO-1449/A and Modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/024,607		ATTY. DOCKET NO.: B0801.70231US00	
				FILING DATE: November 8, 2001		CONFIRMATION NO.: 6830	
				APPLICANT: Lee et al.			
				GROUP ART UNIT: 1646		EXAMINER: Bruce D. Hissong	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	6,288,218		Levinson	09-11-2001
	A2	2003-0124624		Tominaga et al.	07-03-2003

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	WO	00/35473	A2	Scios Inc.	06-22-2000	
	B2	WO	00/73498	A1	Millennium Pharmaceuticals, Inc.	12-07-2000	
	B3	WO	01/70817	A1	Medical and Biological Laboratories Co., Ltd	09-27-2001	Abstract Only
	B4	WO	02/38794	A2	The Brigham and Women's Hospital, Inc.	05-16-2002	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	KUROIWA et al., Construction of ELISA system to quantify human ST2 protein in sera of patients. Hybridoma. 2000 Apr;19(2):151-9.	
	C2	SHIMPO et al., Serum levels of the interleukin-1 receptor family member ST2 predict mortality and clinical outcome in acute myocardial infarction. Circulation. 2004 May 11;109(18):2186-90.	
	C3	WEINBERG et al., Identification of serum soluble ST2 receptor as a novel heart failure biomarker. Circulation. 2003 Feb 11;107(5):721-6. Online version published January 13, 2003.	
	C4	WEINBERG et al., Expression and regulation of ST2, an interleukin-1 receptor family member, in cardiomyocytes and myocardial infarction. Circulation. 2002 Dec 3;106(23):2961-6.	

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]